

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DAVID ANTHONY VILLARREAL,

Petitioner,

v.

CASE NO. 05-CV-74615-DT  
HONORABLE AVERN COHN

KEN ROMANOWSKI,

Respondent.

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**ORDER DENYING MOTION OF DEFAULT AND ACCEPTANCE**

This is a habeas case under 28 U.S.C. § 2254. David Anthony Villarreal (“Petitioner”), filed a pro se petition for writ of habeas corpus under 28 U.S.C. § 2254 alleging that he is incarcerated in violation of his constitutional rights. The Court dismissed the petition for failure to comply with the one-year statute of limitations set forth at 28 U.S.C. § 2244(d). See Opinion and Order filed August 7, 2006. Petitioner then filed a paper styled “Petition for Interlocutory Appeal From the United States District Court Division to the United States Court of Appeals for the Sixth Circuit.” Although the paper was virtually unintelligible, the Court construed it as a request for a certificate of appealability (COA). The Court denied a COA. See Order filed September 7, 2006.

Now before the Court is Petitioner's "Motion of Default and Acceptance," which is also virtually unintelligible. The motion is DENIED. This case is closed. Should Petitioner wish to further pursue his complaint, he must file an appeal to the Sixth Circuit.

SO ORDERED.

s/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

Dated: September 20, 2006

I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, September 20, 2006, by electronic and/or ordinary mail.

s/Julie Owens  
Case Manager, (313) 234-5160